

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Sarah Campbell,

Plaintiff(s),

vs.

Oracle Financial Group, LLC,

Defendant(s).

Case No. 1:17-cv-00544-TSB

District Judge Timothy S. Black

Magistrate Judge _____

RULE 26(f) REPORT OF PARTIES
(to be filed not later than seven
days prior to the preliminary pretrial
conference)

1. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on November 27, 2017,

and was attended by:

Marc E. Dan, counsel for plaintiff(s) Sarah Campbell,

Emily C. White, counsel for plaintiff(s) Sarah Campbell,

_____, counsel for plaintiff(s) _____,

David J. Oberly, counsel for defendant(s) Oracle Financial Group, LLC,

_____, counsel for defendant(s) _____,

_____, counsel for defendant(s) _____,

_____, counsel for defendant(s) _____,

2. The parties:

_____ have provided the pre-discovery disclosures required by Fed. R. Civ. P. 26(a)(1), including a medical package (if applicable).

✓ _____ will exchange such disclosures by December 4, 2017.

_____ are exempt from disclosure under Fed. R. Civ. P. 26(a)(1)(E).

3. The parties:

_____ unanimously consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).

✓ _____ do not unanimously consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).

_____ unanimously give contingent consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c), for trial purposes only, in the event that the assigned District Judge is unavailable on the date set for trial (e.g., because of other trial settings, civil or criminal).

4. Recommended cut-off date for filing of motions directed to the pleadings:

December 18, 2017

5. Recommended cut-off date for filing any motion to amend the pleadings and/or to add additional parties: December 22, 2017

6. Recommended discovery plan:

- a. Describe the subjects on which discovery is to be sought and the nature, extent and scope of discovery that each party needs to: (i) make a settlement evaluation, (ii) prepare for case dispositive motions, and (iii) prepare for trial: The parties may issued Interrogatories, Requests for Production of Documents and Requests for Admissions and may engage in depositions regarding Defendant's alleged collection activity,

Including the alleged voice messages left for Plaintiff by Defendant, the defenses asserted by Defendant,

Plaintiff's alleged receipt of the alleged voice messages and Plaintiff's alleged damages.

- b. What changes should be made, if any, in the limitations on discovery imposed under the Federal Rules of Civil Procedure or the local rules of this Court, including the limitations to 25 interrogatories/requests for admissions and the limitations of 10 depositions, each lasting no more than one day consisting of seven (7) hours?

None at this time.

- c. Additional recommended limitations on discovery:

None at this time.

- d. Recommended date for the disclosure of lay witnesses:

February 28, 2018

- e. Describe the areas in which expert testimony is expected and indicate whether each expert had been or will be specifically retained within the meaning of Fed. R. Civ. P. 26(a)(2).

The parties do not expect to utilize experts in this matter.

- f. Recommended date for disclosure and report of Plaintiff(s) expert(s):

N/A

g. Recommended date for disclosure and report of Defendant(s) expert(s):

N/A

h. Recommended date for disclosure and report of rebuttal expert(s):

N/A

i. Discovery of Electronically Stored Information: The parties have discussed disclosure, discovery, and preservation of electronically stored information, including the form or forms in which it should be produced.

☒ Yes

☐ No

i. The parties have electronically stored information in the following formats:

None.

ii. The case presents the following issues relating to disclosure, discovery or preservation of electronically stored information, including the form or forms in which it should be produced:

None at this time.

j. Claims of Privilege or Protection. The parties have discussed issues regarding the protection of information by privilege or the work-product doctrine, including whether the parties agree to a procedure to assert these claims after production or have any other agreements under Fed. R. Evid. 502.

☒ Yes

☐ No

- i. The case presents the following issues relating to claims of privilege or of protection as trial preparation materials:

None at this time.

- ii. Have the parties agreed on a procedure to assert such claims **AFTER** production?

☒ No

☐ Yes

☐ Yes, and the parties ask that the Court include their agreement in an order.

7. Recommended discovery cut-off date: March 30, 2018

8. Recommended dispositive motion date: April 30, 2018

9. Recommended date for status conference (if any): March 2, 2018

10. Suggestions as to type and timing of efforts at Alternative Dispute Resolution:
Settlement conference at the close of discovery.

11. Recommended date for a final pretrial conference: June 30, 2018

12. Has a settlement demand been made? Yes A response? Yes

Date by which a settlement demand can be made: _____

Date by which a response can be made: _____

13. Other matters pertinent to the scheduling or management of this litigation:
Ronald M. Metcho, Esq. of Marshall Dennehey Warner Coleman & Goggin P.C.,
2000 Market Street, Philadelphia, PA 19103, may seek to be admitted in the matter
pro hac vice if the matter does not resolve prior to or at the December 4, 2017 initial conference.

Signatures:

Attorney(s) for Plaintiff(s):

Marc E. Dunn

(per email authority 11/27/17)

Ohio Bar # 39425

Trial Attorney for Sarah Campbell

Emily C. White

(per email authority 11/27/17)

Ohio Bar # 85662

Trial Attorney for Sarah Campbell

Ohio Bar # _____

Trial Attorney for _____

Ohio Bar # _____

Trial Attorney for _____

Ohio Bar # _____

Trial Attorney for _____

Attorney(s) for Defendants(s):

Dwight J. ... 11/27/17

Ohio Bar # 88410

Trial Attorney for Oracle Financial Group, LLC

Ohio Bar # _____

Trial Attorney for _____

Ohio Bar # _____

Trial Attorney for _____

Ohio Bar # _____

Trial Attorney for _____

Ohio Bar # _____

Trial Attorney for _____

CERTIFICATE OF SERVICE

I hereby certify that on November 28, 2017, a copy of foregoing Rule 26(f) Report of Parties was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

**MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN, P.C.**

s/ David J. Oberly

David J. Oberly (0088410)
*Counsel for Defendant, Oracle Financial
Group, LLC*